## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

RANDY LEE SHATTO	)	
Petitioner,	)	
v.	)	Case No. 3:14-mc-00749
HENRY STEWARD, Warden,	)	Judge Campbell
Respondent.	)	
	ORDER	

Randy Lee Shatto, a state prisoner incarcerated at the Northwest Correctional Complex in Tiptonville, Tennessee, has filed a petition for the writ of habeas corpus under 28 U.S.C. § 2254. The petition, however, was not accompanied either by the required \$5.00 filing fee, or by an Application to Proceed in District Court without Prepaying Fees or Costs. This Court cannot review or consider a § 2254 habeas petition unless the petitioner has either submitted the filing fee or been granted leave to proceed without prepayment of fees and costs.

The Clerk is **DIRECTED** to send to the petitioner a blank short-form Application to Proceed in District Court without Prepaying Fees or Costs. Within **30 days** from the date of entry of this order on the docket, the petitioner **MUST** submit to the Court either the \$5.00 filing fee or the completed application. The plaintiff's submission (whether he pays the fee or submits the application) must display the temporary docket number assigned to this matter (**3:14-mc-749**).

The petitioner is forewarned that, should he fail to comply with the instructions of the Court within the specified time, his petition may be denied and this action dismissed for failure to comply with the instructions of the Court and for want of prosecution. Fed. R. Civ. P. 41(b).

It is so **ORDERED**.

TODD CAMPBELL

United States District Judge

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